

OFFICE OF THE GENERAL COUNSEL
Division of Operations-Management

MEMORANDUM OM 04-16

December 24, 2003

TO: All Regional Directors, Officers-in-Charge
and Resident Officers

FROM: Richard A. Siegel, Associate General Counsel

SUBJECT: Claimants' Social Security Numbers

The Judicial Conference of the United States has adopted a Privacy Policy intended to protect individual identifiers. In the interest of protecting individuals' right of privacy, we have determined that it is appropriate to apply this policy to our casehandling procedures. Accordingly, Regional Offices should ensure that claimants' social security numbers are not included on any document that is or may become public, unless required to do so. Thus, social security numbers should be omitted from documents such as affidavits,¹ proofs of claim² and compliance specifications, as well as any attachments thereto. To the extent it is necessary to identify claimants by social security numbers in any such document, only the last 4 digits of the social security numbers should be used. The format of the number would be XXX-XX-____.

Documents sent to claimants, Employer respondents or SSA can include the social security numbers. In addition, when searching for missing claimants it is generally necessary that inquiry letters to IRS, state agencies and outside contractors also contain the social security numbers. To the extent any document containing a social security number must be released to the public, care should be taken to redact these numbers.

Any questions concerning this matter should be addressed to your Assistant General Counsel or Deputy.

/s/
R.A.S.

cc: NLRBU
Release to the Public

¹ There should be a notation in the case file that contains the social security numbers of potential claimants for the Regional Office's future reference.

² Bankruptcy courts have also revised the proof of claim form (Official Form 10) to provide that if the debtor's social security number is the same as the account number by which the creditor identifies the debtor, only the last four digits of the debtor's number should be included in the Proof of Claim.